



Samuel I. Portnoy
Director

Gibbons P.C.
One Gateway Center
Newark, NJ 07102-5310
Direct: 973-596-4909 Fax: 973-639-6218
sportnoy@gibbonslaw.com

October 3, 2023

VIA ECF

Hon. Claire C. Cecchi, U.S.D.J.
United States District Court
District of New Jersey
Martin Luther King Bldg. & U.S. Courthouse
Newark, New Jersey 07101

Re: *Sterling v. Iris Energy Limited, et al.*, Case No. 2:22-cv-07273-CCC-MAH

Dear Judge Cecchi,

This firm, along with Davis Polk & Wardwell LLP, represents defendants Iris Energy Limited, Daniel Roberts, William Roberts, David Bartholomew, Christopher Guzowski, and Michael Alfred in the above-referenced securities class action. We are in receipt of the Order dated September 19, 2023 reassigning this case to Your Honor. We write to call to Your Honor's attention the involvement of James Cecchi in this case prior to Your Honor's assignment.

On February 13, 2023, Mr. Cecchi filed a motion on behalf of putative class member Erik Keyser for appointment as lead plaintiff and for the appointment of Mr. Cecchi's firm as liaison counsel for the putative class. [ECF No. 27]. By notice dated March 6, 2023, Mr. Cecchi withdrew that motion, but preserved for Mr. Keyser "his rights to participate and recover as a class member" in the litigation. [ECF No. 29]. Subsequently, Mr. Cecchi withdrew his appearance in the litigation as counsel for Mr. Keyser. [ECF No. 39].

We do not know whether there is any current, continuing attorney-client relationship between Mr. Cecchi and Mr. Keyser. And we have no reason to believe that any sensitive information would have been shared with Your Honor, or that Mr. Cecchi's representation of a member of the putative class in this case would affect Your Honor's impartial adjudication. We nevertheless write to ensure that the Court is aware of the fact that Mr. Cecchi represents or represented an individual with an interest in the outcome of this case, so the Court can evaluate what, if any, action would be appropriate.

If you have any questions or require further information, please do not hesitate to contact me.

Respectfully submitted,

s/ Samuel I. Portnoy
Samuel I. Portnoy

cc: All Counsel of Record (*via ECF*)